

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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BKY No. 09-50779

In re:

Dennis E. Hecker,

Debtor.

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**NOTICE OF HEARING AND MOTION  
FOR TURN OVER OF RECORDS**

TO: Tactile System Technology, Inc., 1331 Tyler Street NE, Suite 200, Minneapolis, MN 55413, Calix, Inc., 1035 N. McDowell Blvd., Petaluma, CA 94954 and Calix Networks, Inc., 1035 N. McDowell Blvd., Petaluma, CA 94954.

1. Randall L. Seaver, the Chapter 7 Trustee herein, moves the Court for the relief requested below and gives notice of hearing herewith.

2. The Court will hold a hearing on this motion at 9:30 a.m. on April 27, 2011, in Courtroom 8 West, U.S. Bankruptcy Court, 300 South Fourth Street, Minneapolis, MN 55415.

3. Any response to this motion must be filed and served by delivery not later than April 22, 2011 which is five days before the time set for the hearing (including Saturdays, Sundays and holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**

4. This Court has jurisdiction over this motion under 28 U.S.C. §157 and §1334 and Bankruptcy Rule 5005. This motion is filed under Local Rule 9013-2, this proceeding arises under 11 U.S.C. §542 and Local Rule 6072-1.

5. The petition commencing this Chapter 7 case was filed on June 4, 2009. The case is now pending in this Court.

6. Debtor had an investment with Calix, Inc. or Calix Networks, Inc. either directly or through Hunter Ridge Partners LLC. Debtor's financial statements show a holding of 13,069 shares. The Trustee desires to investigate this holding. The company has not responded to

phone messages or correspondence. The Trustee desires all records related to this investment including, but not limited to, any stock certificates and records indicating value.

7. Debtor had an investment in Tactile Systems Technology, Inc. either directly or through Hunter Ridge Partners LLC. Debtor's financial statements show a holding of 16,700 to 25,000 shares. The Trustee desires to investigate this holding. The company has not responded to written inquiry. The Trustee desires all records related to this investment including, but not limited to, any stock certificates and records indicating value.

8. If required, the Trustee gives notice that he may testify at the hearing of this matter.

**WHEREFORE**, the Trustee requests an order of the Court compelling Tactile System Technology, Inc., Calix, Inc. and Calix Networks, Inc. to turn over to the Trustee the following:

1. Tactile System Technology, Inc.: Copies of any and all records related to the Debtor's investment including, but not limited to, any stock certificates and records indicating value.

2. Calix, Inc. and/or Calix Networks, Inc.: Copies of any and all records related to the Debtor's investment including, but not limited to, any stock certificates and records indicating value.

**LEONARD, O'BRIEN  
SPENCER, GALE & SAYRE, LTD.**

Dated: April 12, 2011

/e/ Matthew R. Burton  
By: \_\_\_\_\_  
Matthew R. Burton, #210018  
100 South Fifth Street, Suite 2500  
Minneapolis, Minnesota 55402  
Telephone: (612) 332-1030  
Facsimile: (612) 332-2740

ATTORNEYS FOR RANDALL L.  
SEAVER, TRUSTEE

**VERIFICATION**

I, Randall L. Seaver, trustee for the Bankruptcy Estate of Dennis E. Hecker, named in the foregoing notice of hearing and motion for turn over of records declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Executed on April 12, 2011

/e/ Randall L. Seaver

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Randall L. Seaver, Trustee

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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

BKY No. 09-50779

In re:

Chapter 7

Dennis E. Hecker,

Debtor.

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**UNSWORN CERTIFICATE OF SERVICE**

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I hereby certify that on April 12, 2011, I caused the following documents:

***Notice of Hearing and Motion for Turn Over of Records and Order (proposed)***

to be filed electronically with the Clerk of Court through ECF, and that the above documents will be delivered by automatic e-mail notification pursuant to ECF and this constitutes service or notice pursuant to Local Rule 9006-1(a).

I further certify that I caused a copy of the foregoing documents to be mailed by first class mail, postage paid, to the following:

Tactile System Technology, Inc.  
1331 Tyler Street NE  
Suite 200  
Minneapolis, MN 55413

Michael B. Lubic  
10100 Santa Monica Blvd 7th Floor  
Los Angeles, CA 90067

Calix, Inc.  
1035 N. McDowell Blvd.  
Petaluma, CA 94954

Michael W. Malter  
Binder & Malter LLP  
2775 Park Avenue  
Santa Clara, CA 95050

Calix Networks, Inc.  
1035 N. McDowell Blvd.  
Petaluma, CA 94954

/e/ Stephanie Wood

Dated: April 12, 2011

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Stephanie Wood  
100 South Fifth Street, Suite 2500  
Minneapolis, MN 55402  
(612) 332-1030

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

BKY No. 09-50779

In re:

Dennis E. Hecker,

Debtor.

**ORDER**

This case before the court on the motion of Randall L. Seaver, trustee, for turn over of records of the estate.

Upon the motion and the files,

It is ordered that:

1. Within seven days of the date of this order, Tactile System Technology, Inc. shall turnover copies of any and all records related to the debtor's investment including, but not limited to, any stock certificates and records indicating value.

2. Within seven days of the date of this order, Calix, Inc. and/or Calix Networks, Inc. shall turnover copies of any and all records related to the debtor's investment including, but not limited to, any stock certificates and records indicating value.

Dated:

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United States Bankruptcy Court Judge